



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Batra et al.)
Serial No.: 09/894,921)
Docket No.: 20243CA)
Filed: June 28, 2001)
For: "COMPRESSED TABLET FORMULATION")
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Examiner:
Sharareh, Shahnam J.
Art Unit:
1617

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This communication accompanies the Issue Fee and is a comment on the Examiner's reasons for allowance set forth in the Notice of Allowability which accompanied the Notice of Allowance mailed January 20, 2006. While no exception is taken to the Examiner's reasons for allowance, the underlying assumption is that the claimed invention is prima facie obvious and thus required a showing of unexpected results to overcome the prima facie case. Applicants' position is that the claimed invention is not prima facie obvious over Makooi US Patent 6,238,695, whether Makooi is considered alone or in view of Remington or Phipps US Patent 5,260,073, for the reasons set forth in the responses filed on August 16, 2005 and on February 24, 2005 and in earlier responses incorporated therein by reference.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

By D.R.L. Date 4/14/06

By

Respectfully submitted,
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Date: April 14, 2006



P&T OFFICE ACKNOWLEDGEMENT

ATTORNEY K. R. Walton	DATE 04/14/2006
CASE NUMBER 20243CA	SERIAL NUMBER 09/894,921
DATE FILED 06/28/2001	
APPLICANT Batra, et al.	
EXPRESS MAIL NO. --	

The Patent & Trademark Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below:

- AMENDMENT
- APPEAL AND FEE
- ASSIGNMENT
- BRIEF
- CERTIFICATE OF CORRECTION
- FINAL FEE
- LETTER *Comments on Statement of Reasons for Allowance*
- REQUEST FOR F.F. LICENSE
- INFORMATION DISCLOSURE STATEMENT
- PTO 1449 & REFERENCES
- PETITION FOR EXTENSION OF TIME & FEE
- INVITATION TO CORRECT
- DEMAND-CHAPTER II & FEE SHEET

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